IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.6712 OF 2006

Natvar Manilal Doshi & Ors. .... Petitioners
Vs.
Kishor G. Bhagli & Ors. .... Respondents

Shri R.C. Kaushik for the Petitioners.

Shri A.B. Palekar, AGP, for the Respondent No.7.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: OCTOBER 11, 2006

P.C:

Heard. The records disclose that the respondent No.1 had filed an application for restoration of land under the Maharashtra Restoration of Lands to Scheduled Tribes Act, 1974. The said application came to be rejected by the Tahsildar by order dated 25-3-2004. The matter has been carried in appeal by the respondent No.1 and during the pendency of the appeal, the Appellate Authority has sought to stay the order of the Tahsildar. The said order is being challenged in the present petition. One fails to understand how and what is the effect of the so called stay order granted by the lower Appellate Authority. Since the Tahsildar had dismissed the application for restoration, there was nothing to be executed in the matter and, therefore, there was no question of grant of stay. Even otherwise, if such an

order of stay is granted, it would be an innocuous order, without any effect and therefore it would not call for any interference for want of writ jurisdiction. With these observations, the petition is rejected.

(R.M.S. Khandeparkar, J.)

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